

Draft ALUMD Update: City of Columbus Planning/Platting Code 8/19/08

3123.22 Purpose.

This subchapter, consisting of C.C. 3123.22 through 3123.27, inclusive, is intended to protect the public health, safety and welfare by regulating development and land use within the Airport Land Use Management District (ALUMD); to ensure compatibility between Port Columbus International Airport, Rickenbacker International Airport, Bolton Field Airport, the Ohio State University Airport (a/k/a Don Scott Field), and any future airport and surrounding land uses; to protect these airports from incompatible encroachment; and to provide notice of potential noise impact.

3123.23 ALUMD- Airport Land Use Management District.

"Airport Land Use Management District" means the zoning district overlay which has been established in Chapter 3384, C.C., and as it may be amended from time to time, and which is indicated on the zoning map by the designation ALUMD.

3123.24 Area of applicability.

The standards and requirements provided in this subchapter shall apply within the Airport Land Use Management District (ALUMD). Definitions contained in Chapter 3384, C.C., shall apply in this subchapter also.

3123.25 Plat notice.

A notice shall be placed on any subdivision plat filed on or after December 31, 2008, for property located totally or partially within the Airport Land Use Management District (ALUMD) stating the following:

"Notice: This property, either partially or wholly, lies within Subdistrict "X" of the Airport Land Use Management District associated with "X" Airport located in the city of Columbus and is subject to noise that may be considered objectionable."

3123.26 Supplemental review.

The subdivision plat review process by department staff shall be supplemented by additional review by the appropriate airport operating authority staff.

The department shall provide a copy of any application for plat approval in an Airport Land Use Management District (ALUMD), within five (5) days of its submittal by the applicant, to the staff of the airport operating authority appropriate for the subject site. The recipient shall review such plat and provide a written recommendation to the department within seven (7) days after receipt.

3123.27 Avigation easement.

Prior to approval of the final plat for a subdivision, or deed for a lot split, located totally or partially within an Airport Land Use Management District (ALUMD) an avigation easement shall be dedicated to the specific airport involved and a notice of potentially high aircraft noise levels shall be affixed to and recorded with the final plat (or in the case of a minor subdivision, the deed). The following wording is suggested: "NOTICE: All or part of this

property is located in an area potentially subject to aircraft noise levels high enough to annoy users of the property and interfere with its unrestricted use. Contact the applicable airport operating authority, such as, but not limited to, the Columbus Regional Airport Authority or the Ohio State University Board of Trustees (to the attention of the Ohio State University Airport Director), for information regarding the most recently calculated levels of current and forecasted aircraft noise levels on the subdivision or lot-split property.

3123.28 Violation and penalty.

Whoever, being the owner or agent of the owner of any land within the city, wilfully transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision as specifically defined in this chapter, before such plat has been approved as provided herein and recorded in the office of the county recorder, shall forfeit and pay the sum of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each lot, parcel, or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

The forfeiture sum provided for herein shall be recovered in a civil action, brought in any court of competent jurisdiction by the city attorney of the city of Columbus, Ohio, in the name of the city.